

93d CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { No. 93-350

SECOND SUPPLEMENTAL APPROPRIATIONS BILL, 1973

JUNE 28, 1973.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. MAHON, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany H.R. 9055]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes.

PURPOSE OF THE BILL

The President on June 27 vetoed the bill H.R. 7447, the Second Supplemental Appropriation Act, 1973. The bill provided additional funds for a large number of departments and agencies of Government. The great majority of the funds in the bill were for programs which were totally or virtually uncontrollable at this late date in the fiscal year. The President stated in his veto message that he was returning the bill because of his grave concern that the enactment into law of the so-called "Cambodia rider" contained in the bill would cripple or destroy the chances for an effective negotiated settlement in Cambodia.

The House of Representatives on June 27 voted 241 to 173 to override the veto, but this fell short of the necessary two-thirds voting in the affirmative required by the Constitution to override a Presidential veto. Accordingly, the message and the bill were referred to the Committee on Appropriations.

In his message the President emphasized that the provisions in the bill, other than the "Cambodia rider," contain a number of appropria-

tions that are essential to continuity of governmental operations. He stated that it is critical that these appropriations be enacted immediately.

About 84 percent of the \$3,362,845,279 in the Second Supplemental Appropriation Bill, 1973 as passed the Congress is for programs that are uncontrollable at this point in time. They are required for fiscal year 1973 accounts and include:

- \$891,604,000 for pay costs.
- \$747,748,000 for emergency flood and disaster relief programs.
- \$614,066,000 for grants to States for public assistance.
- \$190,900,000 for payment to the Civil Service Retirement fund.
- \$87,000,000 for retired military pay.
- \$60,963,000 for fire fighting costs.
- \$26,300,000 for Federal workmen's compensation benefits.
- \$39,308,029 for various claims and judgments against the government including Vietnam prisoner of war claims.
- \$32,700,000 for military mail privileges and postal costs.

Another 7 percent of the funds in the bill, the sum of \$243,510,000, is for higher education items.

The Committee has considered the vetoed bill and recommends deletion of certain language originally contained therein relevant to Cambodia and Laos. However, it recommends new language prohibiting the use of any of the funds in this Act to support directly or indirectly combat activities by U.S. forces in, over or off the shores of Cambodia or Laos, and, after August 15, 1973, prohibiting the use of other funds heretofore appropriated under any other Act for such purpose.

Specifically, the Committee recommends that the language be stricken from Title I, Chapter II, Department of Defense—Military which read as follows:

GENERAL PROVISIONS

None of the funds herein appropriated to the Department of Defense under this Act shall be expended to support directly or indirectly combat activities in, over or from off the shores of Cambodia or in or over Laos by United States forces.

Section 735 of the Department of Defense Appropriation Act, 1973, is amended by deleting "\$750,000,000" and inserting in lieu thereof "\$825,000,000": *Provided, That on and after the date of enactment of H.R. 7447 of the 93rd Congress (a bill making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes), no funds may be transferred under the authority of section 735 of the Department of Defense Appropriation Act, 1973, to support directly or indirectly combat activities in, over or from off the shores of Cambodia or in or over Laos by United States forces.*

Similarly, the Committee recommends that the language be stricken as contained in Section 305 of Title III, General Provisions of the bill as passed by the Congress which read as follows:

SEC. 305. None of the funds herein appropriated under this Act or heretofore appropriated under any other Act may be expended to support directly or indirectly combat activities in, over or from off the shores of Cambodia or in or over Laos by United States forces.

The Committee recommends a new section, Section 307, to Title III, General Provisions, to contain the following language:

SEC. 307. None of the funds herein appropriated under this Act may be expended to support directly or indirectly combat activities in or over Cambodia or Laos or off the shores of Cambodia or Laos by United States forces, and after August 15, 1973, no other funds heretofore appropriated under any other Act may be expended for such purpose.

The first part of this new section is identical to the language contained in the Continuing Resolution as passed by the House on June 26, 1973. For all practical purposes, this portion of the section is inoperative in the current version of the bill because the Committee is advised that none of the funds included in the Second Supplemental Appropriation Act, 1973, are applicable directly or indirectly to any combat activities by U.S. forces. Monies in the bill for the Department of Defense are solely for Military and civilian pay, military retired pay, mail and postal costs, and medical scholarships. As indicated above, the language providing an additional \$75,000,000 in transfer authority to the Department of Defense has been stricken in its entirety from the bill.

The remaining portion of Section 307, ". . . and after August 15, 1973, no other funds heretofore appropriated under any other Act may be expended for such purpose," is self explanatory. The Committee believes that this language, which prohibits after August 15, 1973, the expenditure of other funds heretofore appropriated under any other Act to support combat activities by U.S. forces in Cambodia or Laos, is a reasonable compromise under the circumstances, and can be supported by a majority of the House.

The new bill submitted by the Committee otherwise contains the identical sums and provisions for the various items of the several departments and agencies as the bill vetoed by the President. Recognizing that an acceptable solution must be found for the disposition of the many items of critical importance for the fiscal year which ends this Saturday night, the Committee determined this to be the most reasonable and responsible course to follow.

SUMMARY OF ESTIMATES AND APPROPRIATIONS

The following table compares, on a chapter summary basis, the budget requests considered and the amounts recommended in the bill.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS
RECOMMENDED IN THE BILL

SUMMARY

Chapter No.		Budget estimates	Recommended in bill	Bill compared with estimates
	TITLE I—GENERAL SUPPLEMENTALS			
I	Agriculture-Environmental and Consumer Protection.....	\$47, 100, 000	\$59, 387, 000	+\$12, 287, 000
II	Defense.....	253, 848, 225	165, 026, 000	—38, 822, 225
III	District of Columbia.....	8, 500, 000	-----	8, 500, 000
IV	Foreign Operations.....	738, 000	700, 000	—38, 000
V	Housing and Urban Development, Space, Science, and Veterans	-----	20, 000, 000	+20, 000, 000
VI	Interior and related agencies.....	96, 498, 000	67, 281, 000	—29, 217, 000
VII	Labor, Health, Education, and Welfare.....	1, 163, 715, 000	1, 116, 784, 000	—46, 931, 000
VIII	Legislative branch.....	20, 502, 250	20, 597, 250	+95, 000
IX	Public Works.....	85, 200, 000	103, 350, 000	+18, 150, 000
X	State, Justice, Commerce, and Judiciary.....	523, 594, 000	541, 598, 000	+18, 004, 000
XI	Transportation.....	49, 646, 000	43, 883, 000	—5, 763, 000
XII	Treasury, Postal Service, and General Government.....	315, 667, 000	309, 527, 000	—6, 140, 000
XIII	Claims and Judgments.....	23, 108, 029	23, 108, 029	-----
	Total, title I.....	2, 588, 116, 504	2, 471, 241, 279	—116, 875, 225
	Title II, pay costs.....	1, 018, 989, 000	891, 604, 000	—127, 385, 000
	Grand total, titles I and II.....	¹ 3, 607, 105, 504	3, 362, 845, 279	—244, 460, 225

¹ Includes \$44,225,070 in budget estimates not considered by the House.